

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### RENT REVIEW

##### Textual Amendments

- F1** Sch. 1A inserted (23.12.2016 for the purpose of making regulations under sch. 1A paras. 2(4), 9(1), 10(6) and otherwise prosp.) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), **ss. 101(3), 130(1)** (with s. 128); [S.S.I. 2016/365](#), reg. 2, sch.

##### *Powers of Land Court on referral under paragraph 6*

- 7 (1) This paragraph applies where a landlord or a tenant makes a referral to the Land Court under paragraph 6(2).
- (2) The Land Court must determine what the rent payable in respect of the holding is to be as from the rent agreement date and may—
- (a) vary the rent currently payable in respect of the holding, or
  - (b) determine that the rent should continue unchanged.
- (3) The rent that is to be payable in respect of the holding is the rent that the Land Court, taking account of all the circumstances, considers is the fair rent for the holding.
- (4) In determining the fair rent for the holding, the Land Court must have regard, in particular, to—
- (a) the productive capacity of the holding,
  - (b) the open market rent of any surplus residential accommodation on the holding provided by the landlord, and
  - (c) the open market rent of—
    - (i) any fixed equipment on the holding provided by the landlord, or
    - (ii) any land forming part of the holding,used for a purpose that is not an agricultural purpose.]

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Cross Heading: Powers of Land Court on referral under paragraph 6.